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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,648	10/14/2005	Junbiao Zhang	PU030121	5569

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EXAMINER	
MILLER, BRANDON J	

ART UNIT	PAPER NUMBER
2617	

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10/27/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/553,648	ZHANG ET AL.	
	Examiner	Art Unit	
	BRANDON J. MILLER	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-9 and 12-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-9 and 12-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 October 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Disposition of Claims

I. Claims 1, 4-9, and 12-16 remain pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

II. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.,* 383 U.S. 1,148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

III. Claims 1, 4-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. (US 7,177,637 B2) in view of Hopprich et al. (US 6,792,474 B1).

Regarding claim 1 Liu teaches a method for offering wireless network access to both guests and local users (see col. 4, lines 61-67 and col. 5, lines 1-2, non-authorized MU using public network and authorized MU using private network reads on guest and local users respectively). Liu teaches receiving at a common wireless network access point a request for access from one of a guest and local user (see col. 4, lines 61-64 and col. 6, lines 29-30). Liu teaches authenticating the request for access received at the common access point depending on whether the request was received from the guest or local user (see col. 3, lines 33-35 and col. 6, lines 35-38); and if such authentication is successful, then routing traffic from the local user differently from the guest (see col. 3, lines 25-31 & 48-53).

Liu does not specifically teach determining at the wireless access point whether the access request was received from local user or guest, the determining including examining a user domain received from a party seeking access to determine whether such user domain designates a guest domain.

However, Hopprich teaches determining at a server whether a request was received from a guest user or some other user, the determining including examining a user domain received from a requesting party to determine whether such user domain designates a guest domain (see col. 23, lines 17-28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Liu to include determining at the wireless access point whether

the access request was received from local user or guest, the determining including examining a user domain received from a party seeking access to determine whether such user domain designates a guest domain because the access point in Liu can be modified to examine user domains as taught in Hopprich and domain names are an efficient method of providing network access to local and guest users taught in Liu.

Regarding claim 4 Liu and Hopprich teach a device as recited in claim 1 except for communicating a request for authentication to one or more authentication servers, the authentication being performed differently depending on whether the party seeking access is a local user or a guest. Liu does teach communicating a request for authentication, the authentication being performed differently depending on whether the party seeking access is a local user or a guest (see col. 3, lines 25-35 & 42-44 and col. 6, lines 33-40). Hopprich does teach communicating a request for authentication to one or more authentication servers (see col. 12, lines 24-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include communicating a request for authentication to one or more authentication servers, the authentication being performed differently depending on whether the party seeking access is a local user or a guest because a server can perform the authentication process in Liu and Liu teaches performing authentication differently depending on whether a public mode of operation or a private mode of operation is used.

Regarding claim 5 Liu and Hopprich teach a device as recited in claim 1 except for communicating a request for authentication to a single authentication server which performs authentication using different credentials for local users and guests. Liu does teach performed

authentication using different credentials for local users and guests (see col. 6, lines 33-40). Hopprich does teach communicating a request for authentication to one a single authentication servers (see col. 12, lines 24-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include communicating a request for authentication to a single authentication server which performs authentication using different credentials for local users and guests because a server can perform the authentication process in Liu and Liu teaches performing authentication differently depending on whether a public mode of operation or a private mode of operation is used.

Regarding claim 6 Liu teaches ascertaining whether the request for access was received in an IEEE 802.1x format (see col. 3, lines 25-30).

Regarding claim 7 Liu routing traffic from a guest to an external network (see col. 4, lines 4-8 & 28-30).

Regarding claim 8 Liu teaches routing traffic from a local user to a corporate intranet (see col. 3, lines 50-53).

Regarding claim 9 Liu teaches a wireless local are network for offering wireless Network access to both guests and local users (see col. 4, lines 61-67 and col. 5, lines 1-2, non-authorized MU using public network and authorized MU using private network reads on guest and local users respectively). Liu teaches at least one common wireless network access point offering access to both guests and local users in response to a request for access (see col. 4, lines 61-64 and col. 6, lines 29-30). Liu teaches authenticating the request for access depending on whether the request was received from the guest or local user (see col. 3, lines 33-35 and col. 6, lines 35-

38); and means coupled to the at least one wireless access point for routing traffic from the local user differently from the guest (see col. 3, lines 25-31 & 48-53).

Liu does not specifically teach a server for authenticating; determining at the wireless access point whether the access request was received from local user or guest by examining if a user domain received with the access request designates a guest domain.

However, Hopprich teaches at least one server coupled for authenticating (see col. 12, lines 1-5); and determining at a server whether a request was received from a guest user or some other user, the determining including examining a user domain received from a requesting party to determine whether such user domain designates a guest domain (see col. 23, lines 17-28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Liu to include a server for authenticating; determining at the wireless access point whether the access request was received from local user or guest by examining if a user domain received with the access request designates a guest domain because the access point in Liu can be modified to examine user domains as taught in Hopprich and domain names are an efficient method of providing network access to local and guest users taught in Liu.

Regarding claim 12 Liu and Hopprich teach a device as recited in claim 5 and is rejected given the same reasoning as above.

IV. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. (US 7,177,637 B2) in view of Hopprich et al. (US 6,792,474 B1) and Anton, Jr. (US 2002/0157090 A1).

Regarding claim 13 Liu and Hopprich teach a device as recited in claim 9 except for wherein the at least one wireless network access point ascertains whether the request for access was received in an IEEE 802.1x format or was received in a web-browser format. Liu does teach wherein the at least one wireless network access point handling a request for access in an IEEE 802.1x format (see col. 3, lines 20-35). Anton, Jr. teaches a request for access received in a web-browser format (see paragraph [0026]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Liu and Hopprich combination adapt to include wherein the at least one wireless network access point ascertains whether the request for access was received in an IEEE 802.1x format or was received in a web-browser format because ascertaining the communication format is an efficient method of determining the type of network access to give the requesting mobile user.

Regarding claim 14 Liu and Hopprich teach a device as recited in claim 9 except for wherein the means for routing traffic includes a firewall. Anton, Jr. teaches means for routing traffic that includes a firewall (see paragraph [0024]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Liu and Hopprich combination adapt to include wherein the means for routing traffic includes a firewall as found in Anton, Jr. because gaining access to a private network as taught in Liu can include making a connection through a firewall.

Regarding claim 15 Liu and Hopprich teach a device as recited in claim 15 except for providing web browser based authentication if the request for access was not received in the IEEE 802.1x format. Liu does teach ascertaining whether the request for access was received in an IEEE 802.1x format or was received in a web-browser format (see col. 3, lines 25-30).

Anton, Jr. teaches providing web browser based authentication (see paragraph [0023]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Liu and Hopprich combination adapt to include providing web browser based authentication if the request for access was not received in the IEEE 802.1x format because web browser based authentication can be used to register guest devices in Liu.

Regarding claim 16 Liu and Hopprich teach a device as recited in claim 15 and is rejected given the same reasoning as above.

Response to Arguments

V. Applicant's arguments filed 09/21/2009 have been fully considered but they are not persuasive.

Regarding claims 1 and 9 Applicant has argued that the prior art references Liu and Hopprich are not combinable and that even if combined, Liu and Hopprich do not teach or suggest applicant's claimed invention.

The examiner disagrees.

Regarding claims 1 and 9 Liu and Hopprich teach a device as claimed.

Liu teaches receiving at a common wireless network access point a request for access from *one of* a guest and local user (see col. 4, lines 61-64 and col. 6, lines 29-30). Liu teaches authenticating the request for access received at the common access point depending on whether the request was received from the guest or local user (see col. 3, lines 33-35 and col. 6, lines 35-38); and if such authentication is successful, then routing traffic from the local user differently from the guest (see col. 3, lines 25-31 & 48-53).

Hopprich teaches determining at a server whether a request was received from a guest user or some other user, the determining including examining a user domain received from a requesting party to determine whether such user domain designates a guest domain (see col. 23, lines 17-28).

Hopprich is being combined with Liu to show that a user domain can be associated with the local and guest user in Liu, as is evidenced by the above teaching in Hopprich showing a user domain associated with a guest user or some other user, and that the user domain can be examined to determine whether such user domain designates a guest user domain.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that Liu and Hopprich are not combinable, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the

time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

VI. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON J. MILLER whose telephone number is (571)272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon J Miller/
Examiner, Art Unit 2617

October 21, 2009

/Kent Chang/
Supervisory Patent Examiner, Art Unit 2617